

FILED

AUG 4 1999

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL POPE,

Plaintiff,

No. CIV S-97-0226 DFL GGH

vs.

SOUTHERN PACIFIC,

Defendant.

ORDER TO SHOW CAUSE

A further settlement conference was held before the undersigned on August 2, 1999. Defendant was admonished in the prior settlement conference to have a principal with full authority to settle the case in attendance at the settlement conference. The court then received a letter dated July 27, 1999 from the law offices of plaintiff's counsel which indicated that defendant did not intend to comply with the court's order. An order was filed July 30, 1999, which was served by facsimile on all counsel, directing the parties to fully comply with the provisions of Eastern District Local Rule 16-270(f). The parties were cautioned that failure to comply with that order might result in the recommendation that terminating sanctions be imposed against the offending party. Despite this court's repeated orders to defendant to have a principal with full authority to settle the matter present at the further settlement conference, the required principal did not attend the August 2, 1999 settlement conference.

United States District Court
for the
Eastern District of California
August 4, 1999

* * CERTIFICATE OF SERVICE * *

2:97-cv-00226

Pope

v.

Southern Pacific

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on August 4, 1999, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office, or, pursuant to prior authorization by counsel, via facsimile.

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Jack L. Wagner, Clerk

BY: 

1 Accordingly, IT IS HEREBY ORDERED that within ten days from the date of
2 this order, defendant shall show cause in writing why sanctions should not be imposed on
3 defendant for failure to comply with the court's orders, including reimbursement to plaintiff for
4 his personal travel costs and his attorney's fees and costs incurred in connection with the August
5 2, 1999 settlement conference and payment of sanctions to the court to reimburse the public for
6 the court's time expended for the settlement conference.

7 DATED: August 3, 1999.

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UNITED STATES MAGISTRATE JUDGE